

CC-23-04983-E

Case No. _____

DANIEL BRYANT : **In the County Court at Law**
Plaintiff, :
:
:
v. : **No. _____**
:
:

**Chattanooga Police Department,
Coty Wamp, and Hamilton County District
Attorney's Office** :

:

Defendants : **Dallas County, Texas**

**PLAINTIFF’S PETITION AND APPLICATION FOR TEMPORARY AND
PERMANENT INJUNCTION
AND APPLICATION FOR TEMPORARY RESTRAINING ORDER
AND REQUEST FOR DISCLOSURES**

To the Honorable Court:

Comes Now, Daniel Bryant (herein referred to as “Plaintiff” or “Smith”), Plaintiff and files this PLAINTIFF’S ORIGINAL PETITION AND APPLICATION FOR TEMPORARY AND PERMANENT INJUNCTION AND APPLICATION FOR TEMPORARY RESTRAINING ORDER AND REQUEST FOR DISCLOSURES complaining of Chattanooga Police Department, Coty Wamp and the Hamilton County’s District Attorney’s Office (herein referred to as “Defendants”) and would respectfully show unto the Court as follows:

DISCOVERY CONTROL PLAN.

1. The nature of this cause is such that discovery should be conducted under Discovery Control Plan - Level 2, pursuant to Tex.R.Civ.P. 190.2.

PARTIES



2. Plaintiff Daniel Bryant is an individual residing in Dallas, County.

3. Defendant Chattanooga Police Department may be served by serving Celeste Murphy at 3410 Amnicola Hwy. Chattanooga, TN 37406.

4. Defendant Coty Wamp is an individual and may be served at 600 Market St Suite 310, Chattanooga, TN 37402.

5. Defendant Hamilton County's District Attorney's Office may be served at 600 Market St Suite 310, Chattanooga, TN 37402.

Jurisdiction and Venue.

6. This Court has jurisdiction over Defendants. Further, such Plaintiff as a result of the Defendant's torts as set forth herein below, has suffered damages in whole or in part in Dallas County, Texas.

7. Venue is mandatory in Dallas County, Texas, pursuant to Tex. Civ. Prac. & Rem. Code § 15.011 as the suit involves recovery of real property and removal of encumbrance on real property intended for lawful use in Dallas County, Texas. Venue is proper pursuant to Tex. Civ. Prac. & Rem. Code § 15.002(a)(1) as Dallas County is where all or a substantial part of the events or omissions occurred, including the conversion as described below. Venue is also proper as to all of the Defendants under Tex. Civ. Prac. & Rem. Code § 15.005, as the claims or actions against each of them arose out of the same transaction or occurrence, or series of transactions or occurrences. Plaintiff seeks monetary relief over \$100,000.00 and non-monetary relief; and a demand for judgment for all other relief to which the party deems herself entitled.

Statement of Facts

8. On or about April 5, 2019 an officer of the Chattanooga Police Department seized \$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible (hereinafter, "Property") that was and is the property of Mr. Daniel Bryant.

9. Following the dismissal of the fictitious criminal charges raised against Mr. Bryant, on February 3, 2022 Judge Barry Steelman of the Criminal Court of Hamilton County, Tennessee, Division 1 ordered the return of the Property to Mr. Daniel Bryant. See Order attached as Exhibit A which has been incorporated herein.

10. Despite Judge Steelman's order and without any lawful authority, the subject Property is still held jointly under the control and possession of the Chattanooga Police Department, Coty Wamp and/or the Hamilton County's District Attorney's Office.

11. On April 4, 2023 and April 13, 2023, by and through his counsel, Mr. Bryant sent letters to both Coty Wamp and the Chattanooga Police Department demanding the return of the subject Property. Mr. Bryant nor Mr. Bryant's counsel have been contacted regarding the returning of the subject property. See letters attached as Exhibit B which has been incorporated herein.

12. As of the filing of this petition and application for temporary and permanent injunction, the subject property is still in the possession and under the control of the Chattanooga Police Department and Coty Wamp, the Hamilton County's District Attorney's Office, and Judge Barry Steelman, Presiding Judge of the Criminal Court of Hamilton County, Tennessee, Division 1.

13. As a direct and proximate result of the Defendants actions, Plaintiff has suffered damages.

14. As of the filing of this lawsuit, no criminal charges are pending against the Plaintiff. In fact, all criminal charges against the Plaintiff have been dismissed which is what necessitated

the Order for the return of the Subject Property. See Dismissal Judgment and Order for the Expungement of Criminal Offender Record attached as Exhibit C which has been incorporated herein.

15. At the time of filing of this petition, payment for the just amount owed has not been tendered nor has any of the property been returned. As a result of Defendants failure and refusal to return the subject property as ordered, Plaintiff has been required to retain the undersigned legal counsel to institute and prosecute this suit.

Causes of Action

A. CONVERSION

16. Plaintiff re-alleges and incorporates all previous paragraphs above as if fully set forth herein.

17. In the alternative, without waiving any of the other causes of action herein, without waiving any procedural, contractual, statutory, or common law right, and incorporating all other allegations herein to the extent they are not inconsistent with the cause of action pled here, upon information and belief, Defendants are liable to the Plaintiff for conversion.

18. The Plaintiff owned, possessed, or had the right of immediate possession of the \$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible (“property”). The Defendant wrongfully exercised dominion or control over the property to the exclusion of and inconsistent with the Plaintiff’s rights. The Plaintiff through its legal counsel demanded return of the aforementioned property. The Defendants failed to return property.

B. Civil Theft – Theft Liability Act

19. Plaintiff re-alleges and incorporates all previous paragraphs above as if fully set forth herein.

20. Plaintiff had a possessory right to the Subject Property owned by the Plaintiff which includes, but is not limited to, \$199,000.00, 2011 Lexus, 1970 Buick Electra Convertible for which the Plaintiff lawfully possessed.

21. Defendants have unlawfully appropriated and stole the Plaintiff's Property pursuant to the Texas Penal Code § 31.03 with the intent to deprive the Plaintiff of the property.

22. The Plaintiff sustained damages as a result of the theft.

C. Civil Conspiracy

23. Plaintiff re-alleges and incorporates all previous paragraphs above as if fully set forth herein.

24. All Defendants conspired for the objective of accomplishing obtaining money from the Plaintiff by the unlawful means of making false statements against the Plaintiff.

25. The Defendants had a meeting of the minds on the objective and course of actions.

26. The Plaintiff suffered injury as a result of the wrongful act

Conditions Precedent

27. Plaintiffs re-alleges and incorporates all previous paragraphs above as if fully set forth herein.

28. All conditions precedent to recover on each of the causes of action alleged have occurred.

D. Application Temporary Injunction

29. Plaintiffs re-alleges and incorporates all previous paragraphs above as if fully set forth herein.

30. In order to preserve the status quo and the rights of the Plaintiff with respect to the property during the pendency of this action, Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, should be cited to appear and show cause why it should not be temporarily enjoined, during the pendency of this action.

31. Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, are engaging in conduct that is causing irreparable harm to the Plaintiff's ownership of the \$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible. The subject property is currently in possession of the Defendants and/or the Defendants' employer in Tennessee. The Defendants have not returned the subject property to the Plaintiff and intends to spend, sell and/or destroy the subject property. There are no mechanisms in place that will prevent Defendants from spending, transferring, destroying, selling or wasting the subject property. Further, the cash is at risk of being spent, destroyed or lost by the Defendants who have the cash in their possession and could severely impede the Plaintiff from being able to spend the cash as he sees fit.

32. Plaintiff has been and will continue to be irreparably damaged and injured by the Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office's conduct as long as they have possession of the subject property and Plaintiff has no adequate remedy at law for the injuries just described.

33. It is essential that the Court immediately and temporarily restrain Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office from spending, wasting, destroying or transferring ownership or possession of the

\$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible to any third party. Plaintiff is willing to post a bond, as required by the Court, and request that any bond set be minimal considering the status of all the parties and issues before the Court and the fact that the Plaintiff has already lost \$199,000.00 at the hands of the Defendants.

34. For these reasons, Plaintiff request that a temporary restraining order be issued restraining Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, or anyone he behalf of Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office,;

- 1) Spending, wasting, destroying or transferring ownership or possession of the cash in the amount of \$199,000.00, the 2011 Lexus and the 1970 Buick Electra Convertible which is subject to the February 3, 2022 Order issued by Judge Barry Steelman to a third party;
- 2) Removing or transporting subject property from Tennessee except for the sole purpose of returning the property to Plaintiff's undersigned counsel;
- 3) Order Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, to return the cash in the amount of \$199,000.00, 2011 Lexus, 1970 Buick Electra Convertible to Plaintiff Daniel Bryant until this matter is fully litigated;
- 4) Order Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, to inform Plaintiff of the current location of cash and vehicles and update Plaintiff at least twenty four (24) hours before transporting the cash and vehicles to another location.

35. Intervenor request that after a trial on the merits, this Court permanently enjoin the parties.

E. Request for Disclosures

36. Pursuant to Texas Rule of Civil Procedure 194, Plaintiff requests that Defendants disclose the information or material described in Texas Rule of Civil Procedure 194.2.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, be cited to appear and answer, and the following orders be entered:

1. That a temporary injunction order be issued restraining Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, their agents, servants, officers, directors, employees, representatives, and attorneys from taking the actions set forth in the above paragraphs;
2. That Defendants be cited to appear and show cause, and that upon such hearing, a Temporary Injunction be issued enjoining Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, their agents, servants, officers, directors, employees, representatives, and attorneys from taking the actions set forth above; and
3. Judgment against Defendants for actual damages sustained by Plaintiff;
4. Judgment against Defendants for punitive damages in an amount to be determined by the trier of fact;
5. Judgment for Plaintiff to recover his reasonable and necessary attorneys' fees for bringing this case to trial and judgment, as well as a conditional award in the event of an appeal;

6. Mental anguish;
7. Judgment for both pre-judgment interest and post-judgment interest at the maximum interest rate allowed by law;
8. Judgment for costs of Court; and
9. Judgment for such other and further relief to which Plaintiff may be justly entitled.

Respectfully Submitted,
/s/Walter Musgrove
Walter F. Musgrove III
/s/Bret Schmidt
Bret Schmidt
State Bar I.D. No. 24075514
PO Box 132274
Dallas, Texas 75313
(214) 516-9769 Office
(972) 364-1235 FAX
walter@musgrovelawfirm.com

ATTORNEYS FOR THE
PLAINTIFF

Case No. _____

DANIEL BRYANT
Plaintiff,
v.
: In the County Court at Law
:
:
:
: No. _____
:

Chattanooga Police Department,
Coty Wamp, and Hamilton County District
Attorney's Office
:
:
:
Defendants : Dallas County, Texas

Affidavit of Daniel Bryant

STATE OF TEXAS


COUNTY OF DALLAS

Daniel Bryant appeared in person before me today and stated under oath:

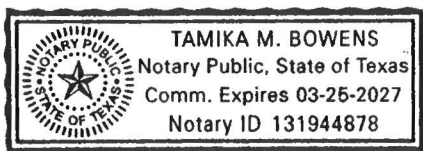
1. "My name is Daniel Bryant and I am the Plaintiff in this lawsuit. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.
2. I have read the Original Petition and Application for Temporary and Permanent Injunction and Application for Temporary Restraining Order and affirm the statements therein are true and correct.
3. On or about April 5, 2019 the Chattanooga Police Department seized \$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible (hereinafter, "Property") that was and is my property.
4. Without any justification, the State of Tennessee charged me with Aggravated Kidnapping. Upon completion of their investigation, the Hamilton County District Attorney's Office filed a Motion to Dismiss the charges they filed against me.
5. On August 9, 2022, Judge Barry Steelman granted the State of Tennessee's Motion to Dismiss and the bogus criminal charges the State of Tennessee filed against me were dismissed.
6. On February 3, 2022 Judge Barry Steelman ordered the return of my property to me. See attached Exhibit A which has been incorporated herein.
7. Despite Judge Steelman's order and without any lawful authority, the subject Property is held jointly under the control and possession of the Chattanooga Police Department and Coty Wamp, and the Hamilton County's District Attorney's Office.
8. On April 4, 2023 and April 13, 2023, by and through my counsel, I sent letters to both Coty Wamp and the Chattanooga Police Department demanding the return of the subject Property. Me nor my counsel have been contacted regarding the returning of the subject property.
9. As of the filing of this petition and application for temporary and permanent injunction, the

subject property is still in the possession and under the control of Chattanooga Police Department, Coty Wamp and the Hamilton County's District Attorney's Office, and Judge Barry Steelman, Presiding Judge of the Criminal Court of Hamilton County, Tennessee, Division 1.

10. As of the filing of this lawsuit, no criminal charges have been filed against me and any previous charges in connection with the subject property have been dismissed.
11. As of the filing of this lawsuit, no civil forfeiture has been filed against any of the subject property.
12. As of the filing of this lawsuit, no actions have been taken by the Defendants and/or their agents or employers to legally entitle them to deprive me of my \$199,000, my 2011 Lexus or my 1970 Buick Electra Convertible they were ordered to return to me on February 3, 2022.
13. I am seeking a Temporary Injunction and a Permanent Injunction to enjoin and restrain Chattanooga Police Department, Coty Wamp and the Hamilton County's District Attorney's Office, their servants, employees, representatives, or attorneys from the following:
 - a. Spending, wasting, destroying or transferring ownership or possession of the cash in the amount of \$199,000.00, my 2011 Lexus, my 1970 Buick Electra Convertible to a third party;
 - b. Removing or transporting the subject property from Tennessee except for the sole purpose of returning the property to me or my attorney;
14. I am also seeking that the Court order Chattanooga Police Department, Coty Wamp and the Hamilton County's District Attorney's Office, to return the \$199,000.00, the 2011 Lexus and 1970 Buick Electra Convertible to me until this matter is fully litigated.
15. I believe the money and vehicles will be spent, wasted, lost or transferred by the Chattanooga Police Department, Coty Wamp and the Hamilton County's District Attorney's Office, and/or their employers if the aforementioned requests are not granted as Chattanooga Police Department, Coty Wamp and the Hamilton County's District Attorney's Office, have ignored all of my lawyer's communications pertaining to the return and whereabouts of the subject property which is lawfully my money.
16. Further, I am concerned the Chattanooga Police Department, Coty Wamp and the Hamilton County's District Attorney's Office, will cause irreparable harm in that they will spend the \$199,000 and does not have means to replace the \$199,000 or 2 vehicles in the event that the Court rules in my favor.
17. The factual allegations stated therein are within my personal knowledge and are true and correct."


Daniel Bryant

SWORN AND SUBSCRIBED TO BEFORE ME, on the 2nd day of August 2023.




 Notary
Public in and for the State of Texas

EXHIBIT
A

IN THE CRIMINAL COURT OF HAMILTON COUNTY, TENNESSEE

STATE OF TENNESSEE

v.

DANIEL BRYANT,
Defendant.

)
)
)
)
)
)

DIVISION I

NOs. 311428

FILED IN OFFICE
2022 FEB -3 AM 11:32
VINCENT
BY
DC

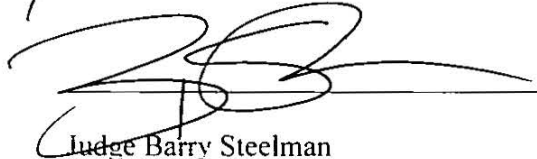
AGREED ORDER TO RELEASE PROPERTY TO DEFENDANT

This matter came before the Court on February 3, 2022 whereupon it was dismissed on motion of the State due to lack of evidence. Defendant requested the release of evidence seized in connection with this matter, specifically to wit: 1) the one hundred ninety-nine thousand U.S. dollars (\$199,000.00) monetary evidence seized by the U.S. Marshals in connection with the associated federal case and subsequently transferred to the possession of the Chattanooga Police Department in Complaint Number 19-031687 by order of the Hamilton County General Sessions Court on March 18, 2020; 2) the 2011 Lexus GS350 AWD belong to Daniel Bryant and seized in connection with this matter; the 1970 Buick Electra Convertible belonging to Daniel Bryant and seized in connection with this matter. The State had no objection to the return of these items and agreed to their release.

Therefore, it is hereby ORDERED, ADJUDGED, AND DECREED that the Chattanooga Police Department shall release to Mr. Bryant the monetary evidence transferred to the possession of the Chattanooga Police Department by order of Hamilton County Sessions Court on March 18, 2020; the 2011 Lexus GS350 AWD seized in connection with this case; and the 1970 Buick Electra Convertible seized in connection with this case. If any of these items no longer remain in the possession of the Chattanooga Police Department, an accounting of how these items were disposed

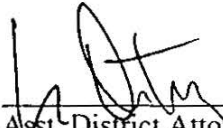
of shall be provided to the Defendant or Defendant's counsel undersigned below no later than March 1, 2022.

Enter this 3 day of February, 2022.



Judge Barry Steelman
Hamilton County Criminal Court, Division I

APPROVED FOR ENTRY BY:



Asst. District Attorney Lee Ortwein
Counsel for the State
600 Market Street, Ste. 310
Chattanooga, TN 37402



Asst. Public Defender Jonathan S. Wilson
Counsel for Defendant
720 Cherry Street
Chattanooga, TN 37402

**EXHIBIT
B**

Scott H. Palmer, P.C.
Attorney & Counselor at Law

214.987.4100
Fax 214.922.9900
1.888.499.9595

April 4, 2023

VIA U.S. Mail

Coty Wamp
District Attorney General
600 Market Street, Suite 310
Chattanooga, TN 37402

***Re: Cause No. 311428; The State of Tennessee v. Daniel Bryant; In the
Criminal Court of Hamilton County, Tennessee, Division 1***

Greetings:

This letter is to advise you that our law firm represents Daniel Bryant regarding the \$199,000.00 monetary evidence seized pertaining to the above referenced matter.

Please contact me at your earliest convenience to discuss. I can be reached at (214) 987-4100. Thank you and I look forward to hearing from you.

Very truly yours,

A handwritten signature in blue ink that reads "Paul Green". The signature is fluid and cursive, with the first name "Paul" and last name "Green" clearly distinguishable.

Paul Green

Scott H. Palmer, P.C.
Attorney & Counselor at Law

214.987.4100
Fax 214.922.9900
1.888.499.9595

April 13, 2023

VIA CMRRR: 7022 3330 0000 8620 0059

Chattanooga Police Department
3410 Amnicola Hwy.
Chattanooga, TN 37406

Re: Our Client: Daniel Bryant

No. 311428; State of Tennessee vs. Daniel Bryant; In the Criminal Court of
Hamilton County, Tennessee, Division 1

Greetings:

Please be advised that this firm represents Mr. Daniel Bryant in reference to the attached conformed Agreed Order to Release Property to Defendant.

On or about February 3, 2022, Judge Barry Steelman ordered the Chattanooga Police Department to release evidence transferred to the possession of the Chattanooga Police Department which included \$199,000.00 in monetary evidence, the 2011 Lexus GS350 A WD belonging to Daniel Bryant and the 1970 Buick Electra Convertible belonging to Daniel Bryant. These items have not been received by our client pursuant to this Order.

Demand is hereby made for the return of the above referenced items as ordered by the Court.

If you are no longer in possession of the items ordered for return, please provide a detailed accounting of how these items were deposited immediately.

Very truly yours,

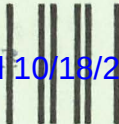
A handwritten signature in blue ink that reads "Paul Green". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Paul Green

PG/hst
Enclosure

USPS TRACKING #

3:23-cv-02297-L Document 1-1 Filed 10/18/23 Page 19 of 28 Page 1



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 5426 9189 8832 34

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

SCOTT H. PALMER, P.C.
Attorneys & Counselors at Law
15455 Dallas Parkway, Suite 540
Addison, Texas 75001

APR 21 2023

Bryant, Daniel (HT)

SENDER: COMPLETE THIS SECTION

3:23-cv-02297-L Document 1-1 Filed 10/18/23 Page 20 of 28 Page 1

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chattanooga P.D.
 310 Amnicola Hwy.
 Chattanooga, TN 37406



9590 9402 5426 9189 8832 34

2. Article Number (Transfer from service label)

7022 3330 0000 8620 0059

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Kerr*☐ Agent☐ Addressee

B. Received by (Printed Name)

Kerr

C. Date of Delivery

06/12

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Restricted Delivery

EXHIBIT
C

IN THE CRIMINAL COURT FOR HAMILTON COUNTY, STATE OF TENNESSEE

Case Number: 311428 Count #: 1

Judicial District: 11th Judicial Division: 1

Counsel for the State: ORTWEIN, FREDERICK LEE

Counsel for the Defendant: WILSON, JONATHAN (P.D.)

Co-Counsel for the Defendant: _____

State of Tennessee

VS

Defendant: BRYANT, DANIEL CLAYTON

☐ Retained ☒ Pub Def Appt ☐ Private Atty Appt☐ Counsel Waived ☐ Pro Se

Alias: BRYANT, DANIEL CLAYTON Date of Birth: 9/12/1976 Sex: M

Race: B SSN: 436492850

Driver License #:

Issuing State:

State ID #:

County Offender ID #(if applicable):

TOMIS/TDOC #:

Relationship to Victim:

Victim's Age:

State Control #: 330002585373

Arrest Date: 3/9/2020

Indictment Filing Date: 5/19/2021

JUDGMENT

☒ Original☐ Amended☐ Corrected

Come the parties for entry of judgment.

On the 3 day of Feb, 2022, the defendant:

☐ Pled Guilty
☐ Pled Nolo Contendere
☐ Pled Guilty – Certified Question Findings Incorporated by Reference
☒ Dismissed
☐ Nolle Prosequi with costs
☐ Nolle Prosequi without costs
Is Found: ☐ Guilty ☐ Not Guilty
☐ Jury Verdict ☐ Not Guilty by Reason of Insanity
☐ Bench Trial Merged with Count: _____

Indictment: Class (circle one) 1st A B C D E ☐ Felony ☐ Misdemeanor
Indicted Offense Name: AGGRAVATED KIDNAPPING
Indicted Offense TCA §: 39130304
Amended Offense Name:
Amended Offense TCA §:
Offense Date: 4/4/2019 County of Offense: Hamilton
Convicted Offense Name:
Convicted Offense TCA:
Conviction: Class (circle one) 1st A B C D E ☐ Felony ☐ Misdemeanor
Sentence Imposed Date:

After considering the evidence, the entire record, and in the case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, all of which are incorporated by reference herein, it is ORDERED and ADJUDGED that the conviction described above is imposed hereby and that a sentence and costs are imposed as follows:

Offender Status (Check One)	Release Eligibility for Felony Offense (Check One)				
<input type="checkbox"/> Mitigated	<input type="checkbox"/> Mitigated 20%	<input type="checkbox"/> §40-35-501(i) 100%	<input type="checkbox"/> Agg Rob 85%	<input type="checkbox"/> Agg Child Neg/En 70%	<input type="checkbox"/> 1st Degree Murder
<input type="checkbox"/> Standard	<input type="checkbox"/> Mitigated 30%	<input type="checkbox"/> Multiple Rapist 100%	<input type="checkbox"/> Agg Rob w/Prior 100%	<input type="checkbox"/> Agg Child Neg/En 85%	<input type="checkbox"/> Pre 1989
<input type="checkbox"/> Multiple	<input type="checkbox"/> Standard 30%	<input type="checkbox"/> Child Rapist 100%	<input type="checkbox"/> §39-17-1324(a), (b) 100%	<input type="checkbox"/> Agg Vehicular Homicide 60%	<input type="checkbox"/> Reform Act 1989
<input type="checkbox"/> Persistent	<input type="checkbox"/> Multiple 35%	<input type="checkbox"/> Agg Rapist 100%	<input type="checkbox"/> Mult §39-17-1324(j) 100%	<input type="checkbox"/> Carjacking 75%	<input type="checkbox"/> Drug Free Zone
<input type="checkbox"/> Career	<input type="checkbox"/> Persistent 45%	<input type="checkbox"/> Child Predator 100%	<input type="checkbox"/> Agg Assault w/Death 75%	<input type="checkbox"/> §40-35-501 (u) 85%	<input type="checkbox"/> Gang Related
	<input type="checkbox"/> Career 60%	<input type="checkbox"/> §39-13-518 100%	<input type="checkbox"/> Att 1st Degree Murder w/SBI 85%		<input type="checkbox"/> Repeat Violent Off

Concurrent With:

Pretrial Jail Credit Period(s):

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

From _____ To _____

Consecutive To:

It is not the intent of the court for duplication of Jail Credit to be applied to consecutive sentences.

Sentenced To: ☐ TDOC ☐ County Jail ☐ WorkhouseSentenced Length: _____ Years _____ Months _____ Days _____ Hours ☐ Life ☐ Life w/out Parole ☐ Death

Mandatory Minimum Sentence Length: _____ §39-17-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone

_____ § 55-10-401 DUI 4th Offense

_____ § 39-17-1324 Possession/Employment of Firearm

_____ §§ 40-39-208, -211 Violation of Sex Offender Registry

_____ Meth §§ (39-17-434, -417, -418)

Period of incarceration to be served prior to release on probation or Community Corrections: _____ Months _____ Days _____ Hours

Minimum service prior to eligibility for work release, furlough, trusty status and rehabilitative programs: _____ % (Misdemeanor or Split Confinement Only)

Alternative Sentence: ☐ Sup Prob ☐ Unsup Prob ☐ Comm Corr ☐ Prob Sup By Comm. Corr (CHECK ONE BOX)

Effective: _____WAS DRUG/RECOVERY COURT ORDERED AS A CONDITION OF THE ALTERNATIVE ☐ Yes ☐ No

STEELMAN, BARRY A.

Judge's Name

Judge's Signature

FILED
2022 FEB -9 PM 1:31
HAMILTON COUNTY, TN

IN THE CRIMINAL COURT FOR HAMILTON COUNTY, STATE OF TENNESSEE

Case Number: 311428 Count #:1
 Judicial District: 11th Judicial Division: 1

State of Tennessee

VS

Defendant: BRYANT, DANIEL CLAYTON

Alias: BRYANT, DANIEL CLAYTON

Date of Birth: 9/12/1976

Sex: M

Race: B SSN: 436492850

CONTINUATION OF JUDGMENT

☒ Original☐ Amended☐ Corrected

Court Ordered Fees and Fines::

Costs to be Paid by:

\$ _____ Court Costs

☐ Defendant ☐ State

\$ _____ Fine Assessed

\$ _____ Traumatic Brain Injury Fund(68-55-301 et seq.)

\$ _____ Drug Testing Fund (TN Drug Control Act)

\$ _____ CICF

\$ _____ Sex Offender Tax

\$ _____ Other: _____

Restitution: Victim Name:

Address: _____

Total Amount: \$ _____ Per Month \$ _____

☐ Unpaid Community Service:

_____ Hours _____ Days _____ Weeks _____ Months

- ☐ The Defendant having been found guilty is rendered infamous and is ordered to provide a biological specimen for the purpose of DNA analysis.
- ☐ Pursuant to 39-13-521, the Defendant is ordered to provide a biological specimen for the purpose of HIV testing.
- ☐ Pursuant to 39-13-524 or 39-13-518, the Defendant is sentenced to community supervision for life following sentence expiration.
- ☐ Pursuant to Title 68, Chapter 11, Part 10, 71-6-117, or 71-6-119, the clerk shall forward this judgment to the Department of Health.

Special Conditions

STEELMAN, BARRY A.

Judge's Name

Counsel for the State Signature (optional)

Judge's Signature

Defendant/Defendant's Counsel/Signature (optional)

Date of Entry of Judgment

I _____, clerk, hereby certify that, before entry by the court, a copy of this judgment was made available to the party or parties who did not provide a signature above.

Order For The Expungement of Criminal Offender Record

State of Tennessee vs. BRYANT, DANIEL CLAYTON

Circuit Docket Number: 311428

Date Original Case Was Filed in Clerk's Office: 5/19/2021

General Sessions Docket Number(s): 1756173

The Criminal Court of Hamilton County, Tennessee at Chattanooga

On the motion or petition of

Defendant

Defendant/Arrest Information:

BRYANT, DANIEL CLAYTON

B

M

9/12/1976

406492850

Defendant (name used at time of arrest)

Race

Sex

Date of Birth

SSN #

Arresting Agency: Hamilton County

OCA #

3/9/2020 2:58:00 AM

Date of Arrest

AGGRAVATED KIDNAPPING

Counts: 1

Thru: 1

FCA: 39130304

TIBRS: 13A

Disposition Information:

AGGRAVATED KIDNAPPING

Counts: 1

Thru: 1

Dismissed on Motion of State

Final Disposition

Dismissed on Motion Of State

Diversion Date (if applicable):

The defendant named above is entitled to have all public records relating to the offenses listed above expunged according to the Tennessee Code Annotated provision marked below:

Provision Relating to Adults:

- ☒ Charge has been dismissed (TCA 40-13-101)
- ☐ No True Bill returned by Grand Jury (TCA 40-32-101)
- ☐ Verdict of Not Guilty returned by Jury (TCA 40-32-101)
- ☐ Conviction which has by Appeal been reversed (TCA 40-32-101)
- ☐ Nolo Prosequi entered in case (TCA 40-32-101)
- ☐ Successful completion of all probation provisions and proceedings against defendant have been discharged by the Court (TCA 40-35-313)
- ☐ Suspension of prosecution pursuant to TCA 40-13-105

Provision Relating to Juveniles:

- ☐ Petition alleging delinquency not filed (TCA 37-1-155)
- ☐ Proceedings dismissed after petition is filed or the case transferred to Juvenile Court as provided in TCA 37-1-105, TCA 38-1-156
- ☐ Adjudicated not to be a delinquent child (TCA 37-1-155)
- ☐ Child has reached eighteen (18) years of age and there is no record that he committed a criminal offense after reaching sixteen (16) years of age, unless such fingerprints were obtained on allowed charge which if committed by an adult would be a felony (TCA 37-1-155)
- ☐ Passage of six (6) months from date of liquor law violations defined by TCA 57-3-412 (A) (3) (C) or TCA 57-3-301 (E) (3)

It is ordered that all public records relating to such offense above referenced be expunged and immediately destroyed upon payment of all costs to Clerk and that no evidence of such records pertaining to such offense be retained by any municipal, county, or state agency, except non-public confidential retained in accordance with TCA 10-7-504 or TCA 38-6-116

Approved For Entry

Defendant
Defendant/Attorney for Defendant

District Attorney General

Entered This

9 Day of August 2022

Judge



CC-23-04983-E

Case No. _____

DANIEL BRYANT	:	In the County Court at Law
Plaintiff,	:	:
v.	:	No. _____
	:	

Chattanooga Police Department, Coty Wamp, and Hamilton County District Attorney's Office	:	
Defendants	:	Dallas County, Texas

TEMPORARY RESTRAINING ORDER

On _____, 2023, the Application for Temporary Restraining Order and Temporary Injunction of DANIEL BRYANT, was heard before this court.

Based upon the pleadings, records, documents filed by counsel and the arguments of the counsel at the hearing, it clearly appears:

a. That unless Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, their agents, servants, employees, representatives, or attorneys are immediately restrained from

- i. Spending, wasting, destroying or transferring ownership or possession of the cash in the amount of \$199,000.00, the 2011 Lexus and the 1970 Buick Electra Convertible which is subject to the February 3, 2022 Order issued by Judge Barry Steelman to a third party;
- ii. Removing or transporting the cash in the amount of \$199,000.00, the 2011 Lexus and the 1970 Buick Electra Convertible from Tennessee except for

the sole purpose of returning the property to Plaintiff's undersigned counsel;

- iii. Order Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, to return the cash in the amount of \$199,000.00, 2011 Lexus, 1970 Buick Electra Convertible to Plaintiff Daniel Bryant until this matter is fully litigated;
- iv. Order Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, to inform Plaintiff of the current location of cash and vehicles and update Plaintiff at least twenty four (24) hours before transporting the cash and vehicles to another location.

b. Plaintiff Daniel Bryant will suffer irreparable harm if Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office are not immediately restrained because once Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, loses, sells, wastes, transfers, or destroys the \$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible (hereinafter, "Property"), the Plaintiff will be permanently deprived of \$199,000.00, 2011 Lexus and 1970 Buick Electra Convertible (hereinafter, "Property") which he rightfully owns.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office and their agents, servants, employees, representatives, or attorneys are immediately restrained from:

- i. Spending, wasting, destroying or transferring ownership or possession of the cash in the amount of \$199,000.00, the 2011 Lexus and the 1970 Buick

Electra Convertible which is subject to the February 3, 2022 Order issued by Judge Barry Steelman to a third party;

- ii. Removing or transporting subject property from Tennessee except for the sole purpose of returning the cash in the amount of \$199,000.00, the 2011 Lexus and the 1970 Buick Electra Convertible to Plaintiff's undersigned counsel;
- iii. Order Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, to return the cash in the amount of \$199,000.00, 2011 Lexus, 1970 Buick Electra Convertible to Plaintiff Daniel Bryant until this matter is fully litigated;
- iv. Order Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office, to inform Plaintiff of the current location of cash and vehicles and update Plaintiff at least twenty four (24) hours before transporting the cash and vehicles to another location.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Application for Temporary Restraining Order and Temporary Injunction be heard on _____, 2023 at _____ __M in the County Court No. _____, George Allen County Courthouse, 600 Commerce Street, Dallas, Texas. Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office are commanded to appear at that time and show cause, if any exist, why a temporary injunction should not be issued against said Defendants Chattanooga Police Department, Coty Wamp, and the Hamilton County's District Attorney's Office.

The clerk of the above-entitled court shall issue a temporary restraining order in conformity with the law and the terms of this order.

SIGNED and ENTERED on _____ 2023.

PRESIDING JUDGE